

TOWN OF MOUNT AIRY BOARD OF APPEALS

FINDINGS AND DECISION

CASE NO. MA-BOA-2023-04 APPLICATION FOR VARIANCE HEARING JULY 17, 2023

| | |
|--------------------|--|
| Applicant(s): | Tabassem Realty, LLC (“Applicant”) |
| Location: | Southside Plaza, South Main Street (adjacent to the south side of 1502 S. Main Street, Mount Airy, MD 21771 (“the Property”)) |
| Current Use: | Vacant land |
| Proposed Variance: | To permit a single three-story building at the front of the property, instead of a combination of three separate buildings as would normally be required pursuant to the Town Code, Section 112-37 |
| Current Zoning: | LC District (Limited Commercial) |

WHEREAS, Applicant has submitted a concept plan for the Property calling for the construction of three buildings totaling 14,200 Square Feet (SF) to be used as professional offices; and

WHEREAS, Applicant proposes instead to construct a single three-story building with 4,650 SF per floor for a total building square footage of 13,958 SF, instead of three two-story buildings, each with less than 5,000 SF; and

WHEREAS, pursuant to the Town Code §112-37E(1), “[p]rincipal structures with aread in excess of 5,000 square feet” is a prohibited use in the LC zone; and

WHEREAS, pursuant to the Town Code, §112-37F(1), “[n]o building or structure shall exceed 20 feet in height, not including the roof structure, or contain more than two stories, not including the attic[.]”; and

WHEREAS, pursuant to §112-37F(2), “[p]rincipal structures shall not be permitted with area in excess of 5,000 square feet”; and

WHEREAS, in order to submit a concept plan for approval with, and construct, the proposed single building, Applicant would at a minimum require a variance; and

WHEREAS, on or about February 14, 2023, Applicant submitted an application for variances from the aforementioned zoning requirements within the LC District (“the Application”) pursuant to §112-61 asserting that the aforementioned provisions of the Town’s zoning ordinances applicable to the LC District, and thus the Property, create an unnecessary hardship or practical difficulty owing to conditions peculiar to the property; and

WHEREAS, after initial review by the Town Attorney, the matter proceeded to a hearing before the Mount Airy Board of Appeals on July 17, 2023; and

WHEREAS, Town Staff issued a report making an unfavorable recommendation instead recommending that the Property be rezoned through the ongoing master plan process, in recognition that the Application for a single building had some benefits to the Town; and

WHEREAS, the following members of the Board of Appeals were in attendance: Peter Helt, Chair; Wade Gallagher; Patty Washabaugh, Roxanne Hemphill and Sean Kelly, alternate, who voted in absence of Board of Appeals member Judi Stull; and

WHEREAS, Board of Appeals member Judi Stull was absent; and

WHEREAS, all witnesses were duly sworn; and

WHEREAS, the following witnesses were called by Applicant: Ronald Thompson, P.E., VanMar Associates, Inc. and Shahid Refiq, M.D.; and

WHEREAS, Councilman Karl Munder, as a Town resident, testified against the Application; and

WHEREAS, the staff report and all attachments, including the Application and attachments thereto, are marked as Exhibit 1 and attached hereto; and

WHEREAS, the following members of the public were present and testified and/or offered public comment: none; and

WHEREAS, John Breeding, Town of Mount Airy Community Planning Administrator, and Zoning Administrator provided a summary of the staff report and recommendation and in sum testified as follows:

Applicant seeks a variance to Limited Commercial (LC) zoning requirements. There are 4 parcels at the location of the Property. Applicant seeks to be allowed to construct a single three-story building toward front of the lots. There is a flag shaped parcel in the front, but the parcel is not a part of the Property at issue. Residences adjoin the Property. Applicant asserts that granting the Variance will lessen the impact on adjoining residential property. But, the proposed single building is not allowed in the LC zone. The staff recommendation is unfavorable; staff does not recommend approval. Instead, the Property perhaps should be rezone as part of the master plan and comprehensive

rezoning, the process for which is underway, in part to the CC zone on front portion of the Property, which would permit the use proposed. The Staff Report and all attachments were entered as Exhibit 1; and

WHEREAS, in summary, Ronald Thompson testified on behalf of Applicant as follows, in part in response to questioning by Board of Appeals members:

He is engineer of record, and is employed with VanMar Associates, Inc. He is a professional engineer. He reviewed his educational background and land use experience.

With him was Dr. Sahid Rafiq, the managing member of the Applicant LLC, who is a neurologist in Frederick with plans to extend his practice to Mt. Airy. Dr. Rafiq has elderly patients in Mt. Airy. The uses will be a medical practice and rehabilitation clinic that specializes in elderly and Parkinsons patients. The development is planned to be a medical development and future tenants are planned to be doctors and medical professionals.

The property is zoned Limited Commercial (LC), which allows a maximum of 5,000 SF per lot. There are four lots that comprise the Southside Plaza. The initial proposal was to construct three two story buildings each approximately 4,900 SF to a total building program of 14,200 SF.

The development of the three buildings would have placed on building adjacent to South Main Street and two buildings in the rear of the property. The two buildings in the rear of the property would have been adjacent to the residential homes.

The Town Code § 112-37 LC Limited Commercial District lists the following for the purpose of the LC Zoning District:

- (1) the LC District is intended to serve as a transitional zone to provide areas for a limited number of retail and service establishments in close proximity to the residents they serve while protecting the residential uses adjoining the district, and
- (2) The LC District is intended to provide a less intensive commercial zone than the CC District and must only be assigned where adjacent to a more intensive commercial zone such as the CC or any other more intense commercial zone.

Instead of the three two-story buildings, each with less than 5,000 SF, that are shown in Exhibit A, we are proposing a single three-story building with approximately 4,390 SF/floor for a total building square footage = 13,170 SF. We believe this revised site plan proposal is more compatible with the surrounding residential areas since it a) moves the building next to South Main Street and away from the residential houses compared to the three buildings shown in Exhibit A, b) situates the professional services building to be adjacent to the adjacent commercial plaza, c) allows the site plan to preserve existing woods along the property line adjunct to the Ridgeville Heights residential houses, and d)

eliminates the need to address yard encroachments into the property from the Ridgeville Heights residential houses.

The Application requests a modification to allow a single three story building adjacent to South Main Street exceeding the 5,000 SF per building limitation. The provisions of § 112-37 LC Limited Commercial District inflict an unnecessary hardship upon the Owner of the property and adjacent property owners. Where there is unnecessary hardship or practical difficulty, the Board of Appeals may grant a variance.

Although three two-story buildings can be constructed on the site, the construction of a single three-story building with a 13,170 SF greatly separates the building from the adjacent Ridgeville Heights residential houses. This proposal allows for the preservation of portions of the woods separating the Ridgeville Heights residential houses from the commercial development.

Although the property could be developed in strict conformity with the provisions of the LC Zone District, the current configuration of the four parcels creates a T-shaped parcel, which has challenging effects on layout and construction for the three separate buildings.

The granting of a variance for a single three-story building is much more compatible with preserving a portion of the woods on the property and increases the distance of the commercial buildings from the Ridgeville Heights residential houses.

The unnecessary hardship or practical difficulty is not being created by the Applicant but is an attempt to further mitigate visual impacts to the Ridgeville Heights residential houses.

This variance will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

The proposed building will be near the proposed South Main Street Roundabout and the South Main Street/East Ridgeville Boulevard intersection. There are two buildings in this area that are three stories.

The proposed development of a single three-story building does not impair the development of the adjacent commercial property and property to the south that is zoned LC Zone District.

The variance to allow the construction of a single three-story building represents the minimum variance that will afford increased relief to the adjacent Ridgeville Heights residential houses and environment of the lot.

The granting of a variance to allow a single three-story building instead of three two-story buildings is specific to this property and would not be considered so general or

recurrent a nature to make reasonably practicable the formulation of a general regulation for such conditions.

The Staff Report notes there are merits of our proposal including:

1.1 Creates an increased buffer area away from the residential properties to the West that would also protect the natural tree buffer.

1.2 Combining the three separate buildings into a single three-story building does have some merit which would allow the structure to be located close to South Main Street and farther away from the residential community to the West thereby helping to decrease the overall impact to those residents.

2. Although the staff appears to support the concept of a three-story building instead of three two-story buildings, the staff recommends a non-favorable recommendation and that the front lot be rezoned to Community Commercial and the rear two lots rezoned NP Neighborhood Professional. The rezoning of the lots would not be acceptable as they would change the building restriction lines reducing the envelopes of development.

Furthermore, the rezoning of the property would add additional delay to Dr. Rafiq expanding his medical practice to Mount Airy since there is no definitive date for completing the Master Plan.

3. A word about the misleading/disingenuous blogs about this project. First the decision by the Town Council to rezone the O'Brien Property has no bearing on this Variance Request and is simply an effort to create more dissent in the community. This is not some developer trying to "have their way with the Town" but is a proposal to lessen the development impact to the residential properties on the west side of the development.

Mr. Thompson on behalf of the Applicant requested approval of the Application in order to construct a single three-story building adjacent to South Main Street instead of three two-story buildings as allowed by code. Because medical professionals prefer to be in one building, approval of the one-building concept enables Dr. Rafiq to recruit additional medical practices more easily to Mount Airy. If not approved, because of the length of time delaying the design of the project we would not accept a rezoning solution and we would review moving with the construction of the three two-story buildings as allowed in the Limited Commercial (LC) zoning.

Mr. Thompson, in response to questioning, indicated that in part the request is made for a third story because the proposed elevator takes up square footage and the third floor would in part make up for that.

In response to Councilmember Munder's testimony (summarized below) he testified that Councilman Munder's testimony was all just his personal opinion.

WHEREAS, in summary, Dr. Shahid Rafiq testified as follows, in part in response to questioning from Board of Appeals members:

He is the managing member of Applicant, which is a family-owned LLC, and that he wishes to extend his existing medical practice into Mt. Airy to service elderly patients, that he is a neurologist, having started his practice in 2006 in Frederick, Maryland. He testified that he has patients in Mt. Airy that are elderly, and that his patients have neurological disabilities and conditions. Three separate buildings will not allow for enough square footage in a single building to provide all the rehabilitation treatment that his patients require, and his patients being elderly with disabilities need all of their modalities and treatments to be located in a single building. On questioning from members of the Board of Appeals, Dr. Rafiq acknowledged that he bought the property a year ago, aware of the shape of the property and of the SF limitations and zoning.

WHEREAS, Councilmember Karl Munder testified as a Town resident in sum as follows:

The Town Code, Section 112-71 defines a “variance” as a modification only to dimensional requirements, only if the modification would not be contrary to the public interest and if justified by prejudice caused by a peculiar condition to the property at issue. Mr. Munder testified that the Town Code does not permit the granting of use variance permits, and that the request to allow one three story building over 5,000 SF is in fact a request for a use variance, since the Town Code does not permit, and in fact prohibits, the use. Three story buildings are reserved for Community Commercial (CC) zoned property. Therefore, the Application is beyond the authority of the Board of Appeals to grant. Moreover, granting the variance(s) requested would be against the public interest, given that the Property is a gateway to the Town. There is nothing peculiar about the property that would justify the variance. The Application for one building is just what the Applicant would prefer. Their concept plan on file demonstrates that they are capable of building three buildings on the Property that perfectly comply with the Town Code. Two stories fit better in the LC zone. Mr. Munder asked the Board of Appeals to deny the Application.

WHEREAS, the proceedings were video and audio recorded.

NOW, THEREFORE, the Board of Appeals upon receiving the evidence and upon motion to approve the Application, voted 4 votes (Gallagher, Washabaugh, Hemphill and Kelly) to one (Helt) to deny the Application, finding that the Applicant did not meet its burden to establish the prerequisites for the granting of a variance under the Town Code or the Maryland Code, and in light of applicable law, as follows:

Town Code, Section 112-61:

- B. Standards for variances. Where there is unnecessary hardship or practical difficulty, the Board may grant a variance in the application of the provisions of this chapter provided that the following findings are made where relevant in a given case:

- (1) That there are unique physical conditions including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship or practical difficulty is due to such conditions.
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship or practical difficulty has not been created by the applicant or the applicant's predecessor in title.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- (6) No grant of a variance shall be authorized unless the Board specifically finds that the condition for which the variance is sought is not so general or recurrent a nature to make reasonably practicable the formulation of a general regulation for such conditions.

Town Code, Section 112-71, defining variance as:

A modification by the Board of Appeals only of dimensional, density, bulk or area requirements of this chapter where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the results of any action taken by the applicant, a literal enforcement of the chapter would result in unnecessary hardship, or practical difficulty.

Maryland Code, Land Use Article, Section 4-206:

(b) Limitations. -- The modifications in a variance:

(1) may be only of density, bulk, dimensional, or area requirements of the zoning law;

(2) may be only allowed where, owing to conditions peculiar to the property and not because of any action taken by the applicant, a literal enforcement of the zoning law would result in unnecessary hardship or practical difficulty as specified in the zoning law; and

(3) may not be contrary to the public interest.

Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 42 (1974):

Variances cannot be justified merely because the variance would grant the Applicant a more profitable use, or because the Applicant would feel prejudiced or disadvantaged in not getting the modification. “One who shows no more than that the granting of the variance would do no harm and that it would be profitable to him fails to meet the burden of justifying granting of an area variance.”

The exhibit with attachments and sign-in sheet are attached if applicable.

ATTEST:

John Breeding,
Zoning Administrator
Community Planning Administrator
Town of Mt. Airy

Peter Helt, Chair
Town of Mount Airy
Board of Appeals

Approved on this ____ day of _____, 2023 as to form and legal sufficiency.

Thomas V. McCarron, Town Attorney

**Town of Mount Airy, Maryland
Board of Appeals
Staff Report**

July 17, 2023

Request for Variance of the LC Zoning Code Due to Hardship

**CASE MA-BOA-2023-04
South Side Plaza**

Applicant: TABASSEM REALITY, LLC

Location: South Main Street

Zoning: LC – Limited Commercial

STAFF COMMENTS:

The Applicant requests a variance to the LC Zoning under Code section §112-37 as submitted. The four parcels are located along South Main Street, just South of the Md. Rt. 144 intersection and south of address 1502 S. Main Street. The four parcels combined look like the shape of a flag; see attached maps for location.

The attached maps show that parcels to the North are zoned LC – Limited Commercial and CC – Community Commercial. The parcels directly to the South are zoned LC, with parcels to the East on the other side of South Main Street are zoned CC. The Parcels to the West adjacent to this parcel are zoned R-3 Residential.

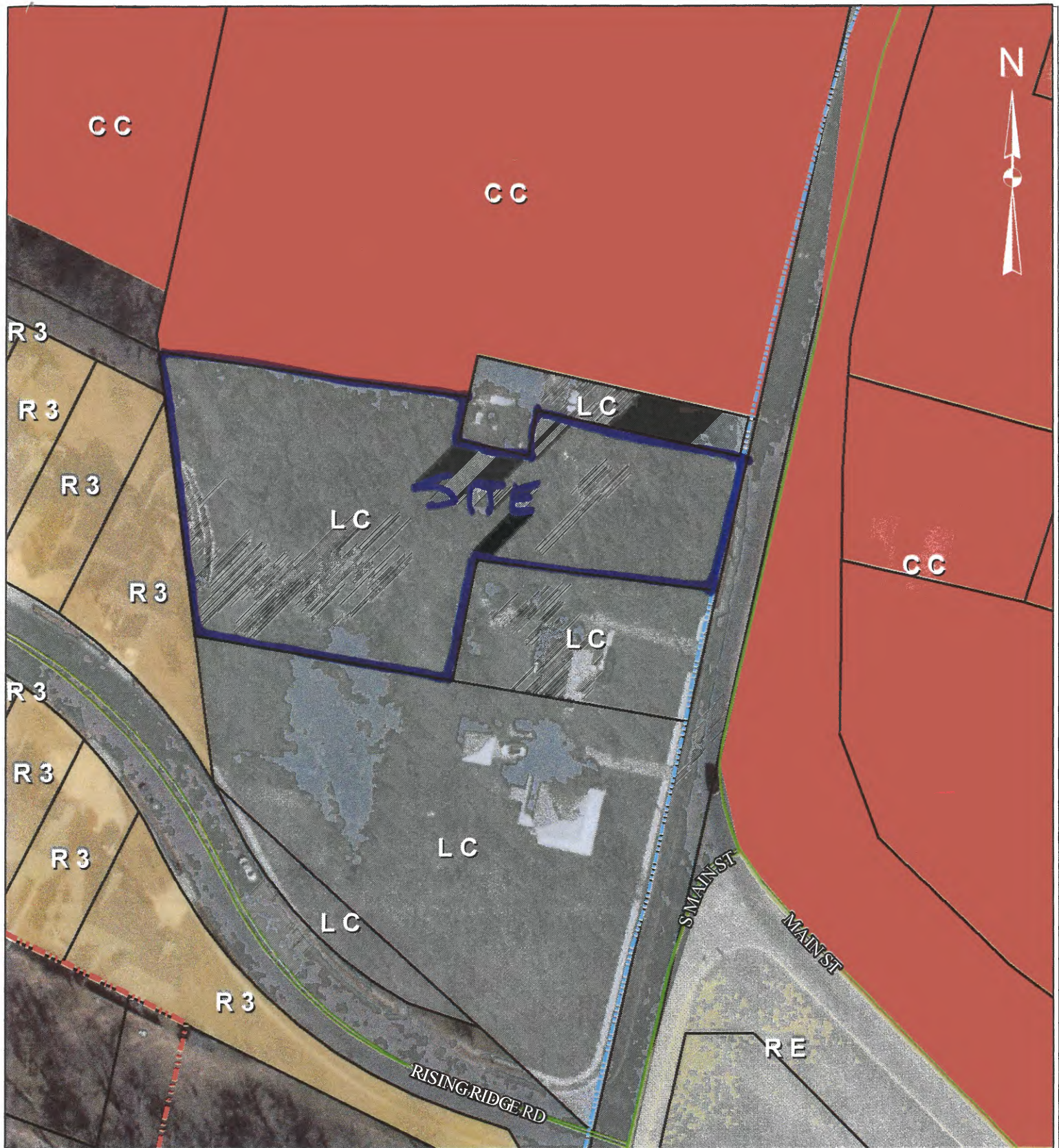
The applicant's requests have some perspectives that might be worth consideration. The relocation of a single building toward the front of the property does create an increased buffer area away from the residential properties to the West. This would also protect the natural tree buffer, as described by the applicant.

The variance request to move toward allowing the combination of the three separate buildings into a single three-story building does have some merit. This would allow the structure to be located close to South Main Street and farther away from the residential community to the West. This should help decrease the overall impact on those residents. "See attached color perspectives."

Staff Recommendation:

Staff recommends a non-favorable recommendation to the Board of Appeals, for a variance to consolidating the three buildings into one due to the residential development to the West, in addition to increasing the total floors from 2 to 3 floors with the consolidated building.

The staff recommendation is that the owner of the property go through the rezoning of all three lots as part of the 2023 Master Plan rezoning request. The current Zoning of the three parcels is LC - Limited Commercial; staff will recommend that the parcels are rezoned to CC - Community Commercial for the front parcel and the rear two parcels to NP - Neighborhood Professional. This will create a zoning buffer between Commercial use the Residential use. This will also allow for the building as proposed to be erected within the code for the CC-zoned property.



South Main Street

0 30 60 120 Feet

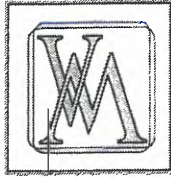
Zoning Mt. Airy

- CC ~ Community Commercial
- RE ~ Residential Existing
- Corporate Limits
- Tax Parcels

Zoning_MtAiry_Frederick

- R3

- CC
- LC



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February 14, 2023

Mr. John Breeding
Director of Planning and Zoning
Town of Mount Airy
110 South Main Street, P.O. Box 50
Mount Airy, MD 21771

5-22-0037
RE: ~~P-22-0013~~ Southside Plaza Site Plan

Dear Mr. Breeding

The proposed Southside Plaza Site is located along South Main Street in Mount Airy. This site will be near the proposed South Main Street Roundabout and is just adjacent to the south side of the 1502 S Main Neighborhood Shopping Plaza. The site consists of four parcels and is also adjacent to residential houses in Ridgeville Heights and a property zoned LC but used as a residential residence. The use of the site will be professional offices. To comply with the requirements for the LC Zone District, the Concept Site Plan was proposing three buildings as follows.

- Building A – Two story building with a total of 4,900 SF
- Building B – Two story building with a total of 4,900 SF
- Building C – Two story building with a total of 4,400 SF
- Total Building square footage = 14,200 SF

Town Code § 112-37 LC Limited Commercial District lists the following for the purpose of the LC Zoning District.

- (1) The LC District is intended to serve as a transitional zone to provide areas for a limited number of retail and service establishments in close proximity to the residents they serve while protecting the residential uses adjoining the district.
- (2) The LC District is intended to provide a less intensive commercial zone than the CC District and must only be assigned where adjacent to a more intensive commercial zone such as the CC or any other more intense commercial zone.

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Page 1 of 5

BY: _____



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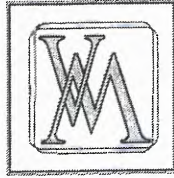
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Instead of the three two-story buildings, each with less than 5,000 SF, that are shown in Exhibit A, we are proposing a single three-story building with 4,650 SF/floor for a total building square footage = 13,958 SF as shown in Exhibit B. We believe this revised site plan proposal is more compatible with the surrounding residential areas since it,

- a) Moves the building next to South Main Street and away from the residential houses compared to the three buildings shown in Exhibit A.
- b) Situates the professional services building to be adjacent to the adjacent commercial plaza.
- c) Allows the site plan to preserve existing woods along the property line adjunct to the Ridgeville Heights residential houses.
- d) Eliminates the need to address yard encroachments into the property from the Ridgeville Heights residential houses.

All development plans in the (LC) Limited Commercial District are subject to site plan approval and the development requirements include:

- (1) Height restriction. No building or structure shall exceed 20 feet in height, not including the roof structure, or contain more than two stories, not including the attic. Accessory structures shall not exceed 15 feet in height.
PROPOSED: A variance to allow a single three-story building in the LC Zone District adjacent to South Main Street.
- (2) Size limitation. Principal structures shall not be permitted with area in excess of 5,000 square feet.
PROPOSED: A variance to allow the single three-story building in the LC Zone District to exceed the single building area of 5,000 square feet and not exceed the total square feet proposed with the three separate two-story buildings.
- (3) Lighting. Lighting shall not reflect or spill over upon adjoining or nearby residential property or on roadways; all lighting shall be equipped with full cutoff, fully shielded fixtures, and pole heights shall not exceed 15 feet at the perimeters. High-density sodium lighting shall be used for all outdoor lighting.
The site plan with a single three-story building will continue to comply with this requirement.



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- (4) Buffers. Buffers protecting nearby residential areas shall be required and maintained and shall consist of fencing and/or natural barriers such as vegetation and trees of at least four feet in height.

The site plan with a single three-story building will continue to comply with this requirement. This proposal increases the natural buffer of vegetation and trees compared to the three two-story buildings that could be constructed on the site.

- (5) All other requirements for commercial development shall apply.

The site plan with a single three-story building will continue to comply with this requirement.

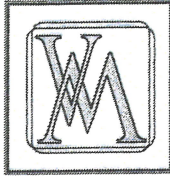
The provisions of § 112-37 LC Limited Commercial District inflict an unnecessary hardship upon the Owner of the property and adjacent property owners. Where there is unnecessary hardship or practical difficulty, the Board of Appeals may grant a variance in the application of the provisions of this chapter provided that the following findings are made where relevant:

- (1) *That there are unique physical conditions including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship or practical difficulty is due to such conditions.*

Although three two-story buildings can be constructed on the site, the construction of a single three-story building with a 13,958 SF greatly separates the building from the adjacent Ridgeville Heights residential houses. This proposal allows for the preservation of portions of the woods separating the Ridgeville Heights residential houses from the commercial development.

- (2) *That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*

Although the property could be developed in strict conformity with the provisions of the LC Zone District, the current configuration of the four parcels creates a T-shaped parcel, which has challenging effects on layout and construction for the three separate buildings. The granting of a variance for a single three-story building is much more compatible with the preserving a portion of the woods on the property and increases



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the distance of the commercial buildings from the Ridgeville Heights residential houses.

- (3) *That such unnecessary hardship or practical difficulty has not been created by the applicant or the applicant's predecessor in title.*

The unnecessary hardship or practical difficulty is not being created by the Applicant but is an attempt to further mitigate visual impacts to the Ridgeville Heights residential houses.

- (4) *That the variance, if authorized, will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.*

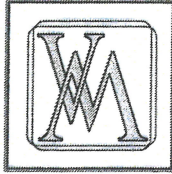
This variance will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. The proposed development of a single three-story building does not impair the development of the adjacent commercial property and property to the south that is zoned LC Zone District.

- (5) *That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.*

The variance to allow the construction of a single three-story building represents the minimum variance that will afford increased relief to the adjacent Ridgeville Heights residential houses and environment of the lot.

- (6) *No grant of a variance shall be authorized unless the Board specifically finds that the condition for which the variance is sought is not so general or recurrent a nature to make reasonably practicable the formulation of a general regulation for such conditions.*

The granting of a variance to allow a single three-story building instead of three two-story buildings is specific to this property and would not be considered so general or recurrent a nature to make reasonably practicable the formulation of a general regulation for such conditions.



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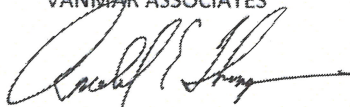
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Enclosed with this variance application is Exhibit C that shows an overlay of the single three-story building over the three two-story buildings.

We request the approval of a variance to allow the construction of a three-story building as shown in the exhibits.

Please contact me with any questions or comments you may have.

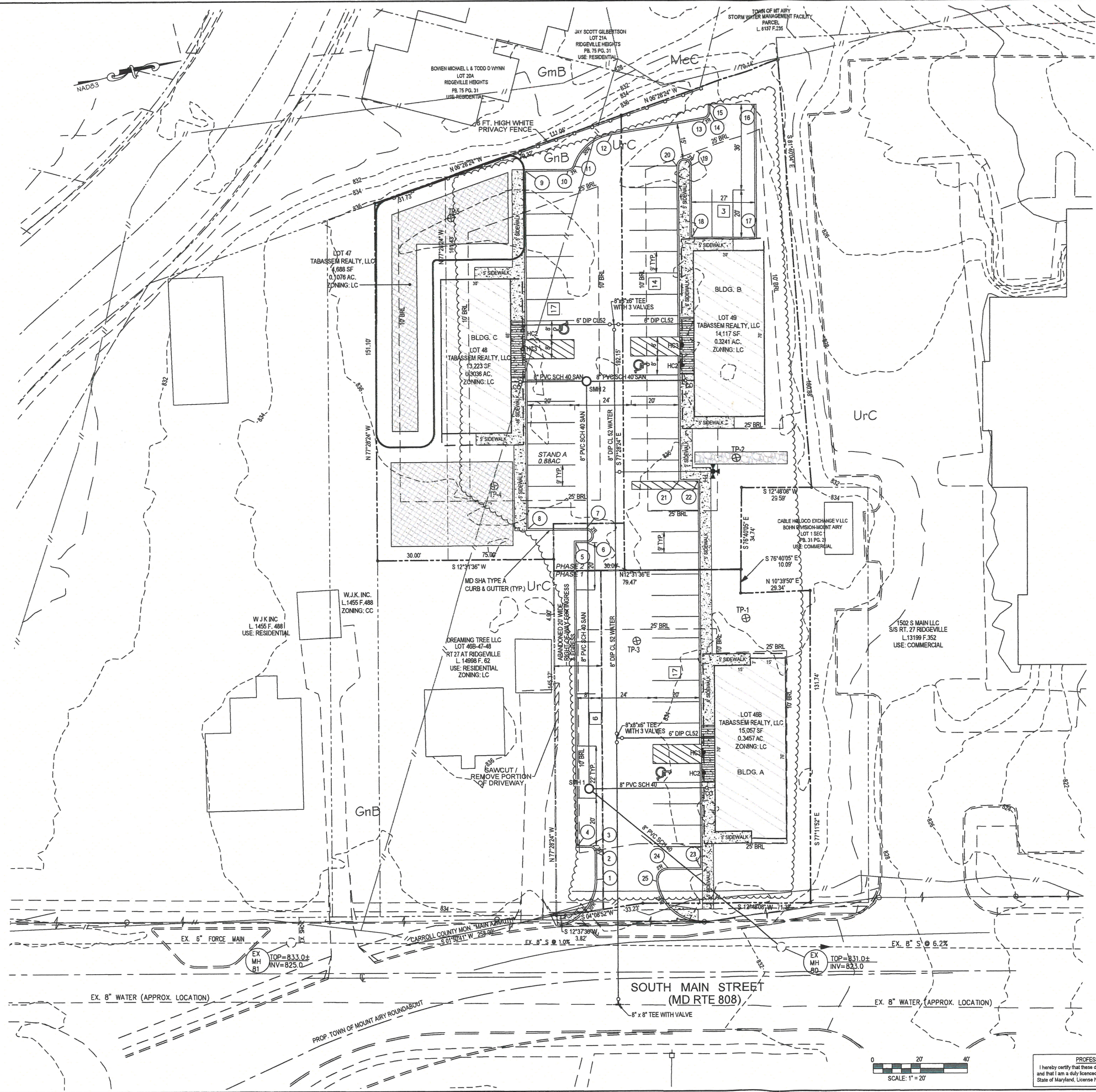
Thank you,
VANMAR ASSOCIATES



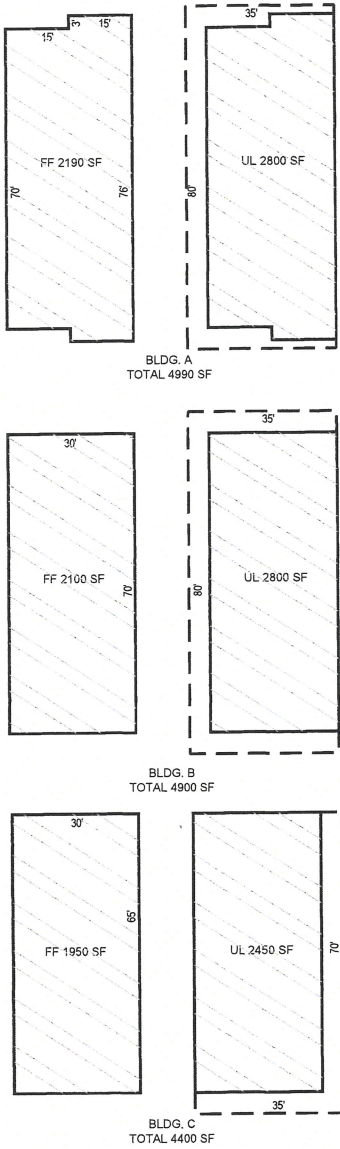
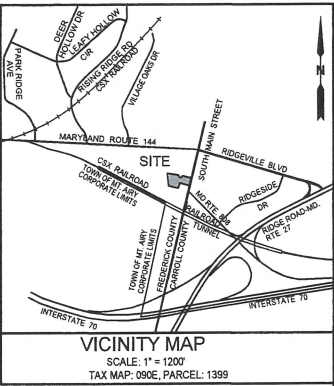
Ronald E. Thompson, P.E.

Enclosures:

➤ Exhibits A, B, C



| SOIL CHART | | |
|------------|----------------------------|------------------|
| MAP UNIT | NAME | HYDROLOGIC GROUP |
| Urc | URBAN LAND 3-15% SLOPES | D |

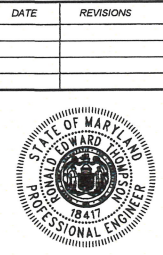


CURB ALIGNMENT DETAILS

| POINT | NORTHERLY | EASTERLY |
|-------|-----------|------------|
| 1 | 618292.31 | 1265298.74 |
| 2 | 618294.79 | 1265287.63 |
| 3 | 618292.51 | 1265284.05 |
| 4 | 618287.63 | 1265282.97 |
| 5 | 618315.39 | 1265158.01 |
| 6 | 618319.90 | 1265159.02 |
| 7 | 618321.21 | 1265153.16 |
| 8 | 618297.16 | 1265147.82 |
| 9 | 618329.91 | 1265000.41 |
| 10 | 618347.46 | 1265004.31 |
| 11 | 618350.66 | 1265002.97 |
| 12 | 618368.88 | 1264993.56 |
| 13 | 618406.55 | 1264996.00 |
| 14 | 618411.66 | 1264993.66 |
| 15 | 618412.38 | 1264990.45 |
| 16 | 618430.59 | 1264994.50 |
| 17 | 618418.45 | 1265048.17 |
| 18 | 618392.09 | 1265043.31 |
| 19 | 618396.62 | 1265013.89 |
| 20 | 618392.77 | 1265012.59 |
| 21 | 618363.92 | 1265142.43 |
| 22 | 618371.74 | 1265144.16 |
| 23 | 618336.38 | 1265303.65 |
| 24 | 618322.75 | 1265300.63 |
| 25 | 618316.89 | 1265305.04 |

OWNERS:
TABASSEM REALTY, LLC
C/O SHAHID RAFIC
3826 BRAVEHEART LANE
URBANA, MD. 21704
210-382-3451

PROFESSIONAL CERTIFICATION
I hereby certify that these documents were prepared or approved by me,
and that I am a duly licensed professional engineer under the laws of the
State of Maryland, License No. 18417, Expiration Date: 9-18-23.



CARROLL COUNTY FILE # S-22-0037

SITE LAYOUT & UTILITY PLAN
SOUTHSIDE PLAZA
TAX MAP: 090E, PARCEL 1399, ZONING: LC
SITUATED ON SOUTH MAIN STREET TOWN OF MOUNT AIRY
ELECTION DISTRICT No. 18
FREDERICK COUNTY, MARYLAND
SCALE: AS SHOWN DECEMBER, 2022

VANMAR ASSOCIATES, INC.
Engineers Surveyors Planners
310 South Main Street P.O. Box 328 Mount Airy, Maryland 21771
(301) 929-2990 (301) 831-5015 (410) 549-2751



1 - VIEW FROM PARKING LOT



2 - VIEW FROM STREET

EXTERIOR MATERIALS

- ROOF - WHITE TPO
- LIGHT GRAY METAL COPING
- WALLS
 - GRAY BRICK BLEND
 - EIFS - WHITE
 - GRAY METAL PANEL FIN
- CURTAIN WALL - BLACK COATED ALUMINUM AND ICUs
- STOREFRONT - BLACK COATED ALUMINUM AND ICUs
 - GRAY METAL PANEL WINDOW SURROUNDS
- LIGHT GRAY METAL PANEL AWNING

BUILDING AREA

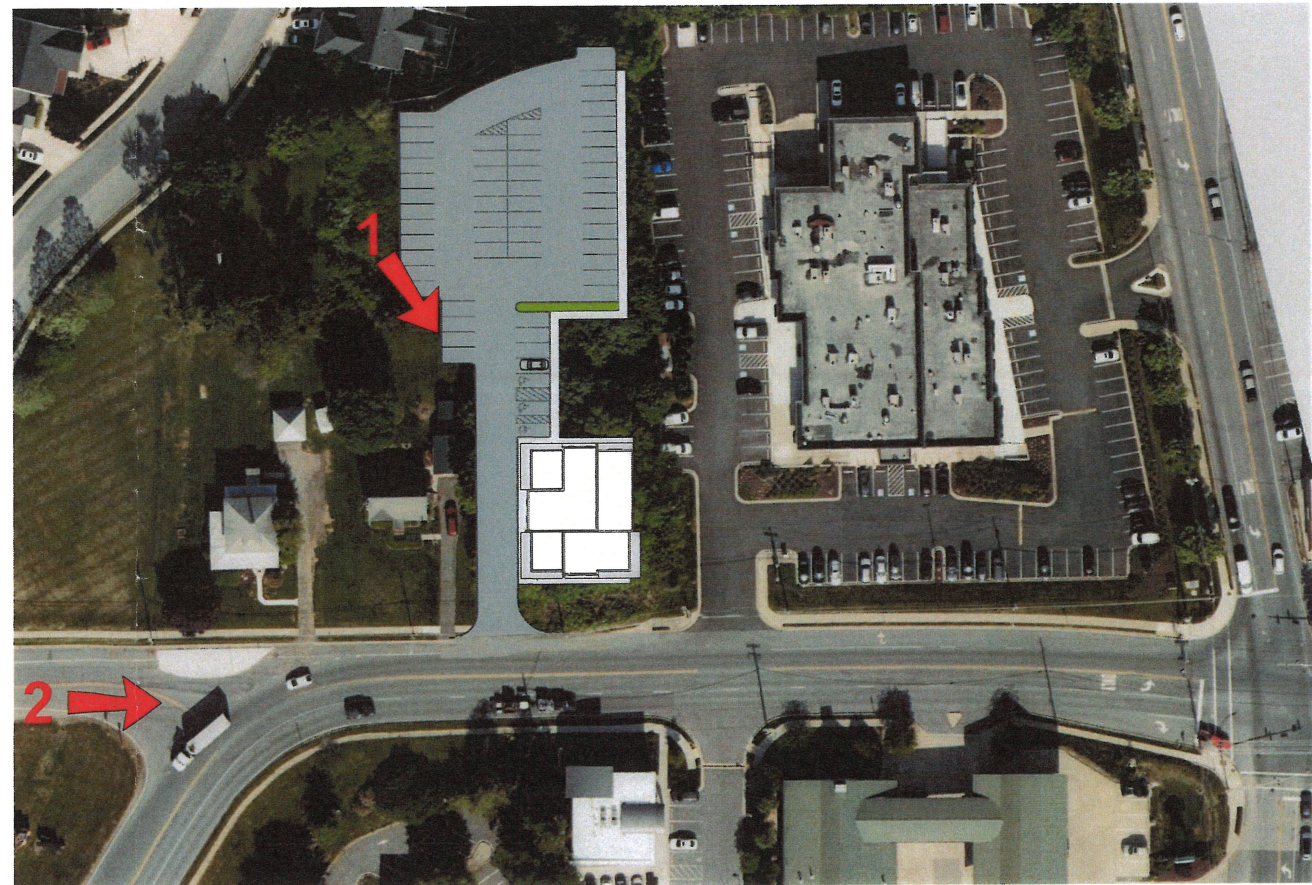
- FLOOR 1 - 4,390 SF
- FLOOR 2 - 4,390 SF
- FLOOR 3 - 4,390 SF

BUILDING TOTAL - 13,170 GSF

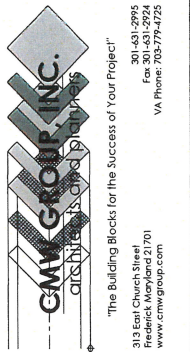
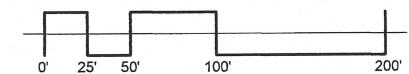
ENERGY CODE PARAMETERS

CLIMATE ZONE 4

- ci = CONTINUOUS INSULATION
- ROOF - R-30ci (INSULATION ENTIRELY ABOVE ROOF DECK)
- WALLS ABOVE GRADE - WOOD FRAMED - R-13 + R-3.8ci
- WALLS BELOW GRADE - R-7.5ci
- FIXED FENESTRATION - U-0.38
- OPERABLE FENESTRATION - U-0.45
- ENTRANCE DOORS - U-0.77
- FENESTRATION SHGC REQUIREMENTS -
 - SHGC (S, E, W ORIENTATION) (PROJECTION FACTOR < 0.2) - U-0.40
 - SHGC (N ORIENTATION) (PROJECTION FACTOR < 0.2) - U-0.53
 - SHGC (S, E, W ORIENTATION) (0.2 < PROJECTION FACTOR < 0.5) - U-0.48
 - SHGC (N ORIENTATION) (0.2 < PROJECTION FACTOR < 0.5) - U-0.58
 - SHGC (S, E, W ORIENTATION) (PROJECTION FACTOR > 0.5) - U-0.64
 - SHGC (N ORIENTATION) (PROJECTION FACTOR > 0.5) - U-0.64
- THE VERTICAL FENESTRATION AREA (NOT INCLUDING OPAQUE SPANDREL PANELS) SHALL NOT BE GREATER THAN 30% OF THE GROSS ABOVE-GRADE WALL AREA.



SITE PLAN - 1" = 50'



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PERSPECTIVES

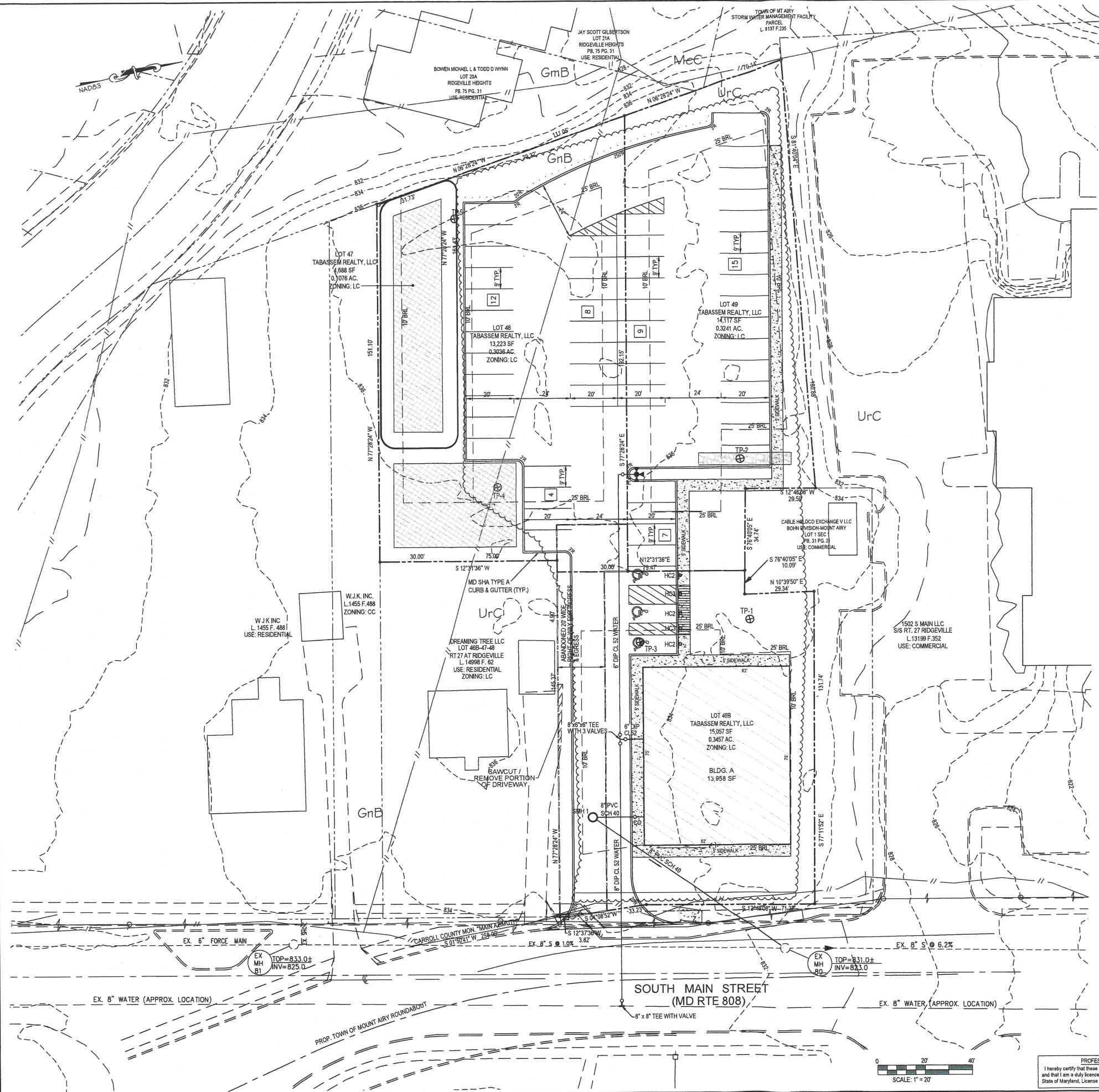
SOUTHSIDE PLAZA

SOUTH MAIN STREET
MOUNT AIRY, MD 21771

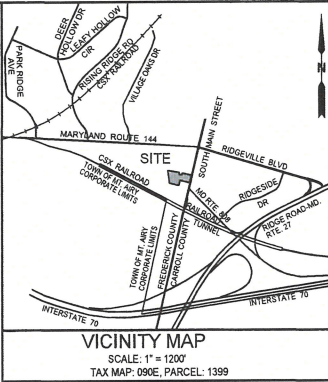
| ISSUE LOG | | REVISION LOG | |
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SEAL:

A101



| SOIL CHART | | |
|------------|----------------------------|------------------|
| MAP UNIT | NAME | HYDROLOGIC GROUP |
| UrC | URBAN LAND 3-15% SLOPES | D |



OWNERS:
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C/O SHAHID RAFIC
3826 BRAVEHEART LANE
URBANA, MD. 21704
210-382-3451

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